

REMARKS

By the *Office Action* of 15 November 2005, Claims 1-13 and 17 are pending in the Application, and all rejected. By the present *Response and Amendment*, the Applicant clarifies the *Specification* and Claims, and submits the pending Claims are allowable over the cited art.

No new matter is believed introduced by the present *Response and Amendment*. It is respectfully submitted that the present Application is in condition for allowance for the following reasons.

1. *Specification*

The *Specification* is objected to for headings not present in the PCT application. Applicant provides such headings herein.

2. *Claims 1, 3-6 and 9-10*

Claims 1, 3-5 and 9 are objected to for a misspelling. Applicant thanks the Examiner for the observation, and amends Claim 1 accordingly.

Claim 6 is amended to provide a colon after the first instance of the term “comprising”.

Claim 10 is amended to distinguish that the recitation

- (d) means for securing the securing bolt on the body portion

is distinct from the paragraph

- the first arm portion being secured between an outer surface of the first intermediate portion and the head portion of the securing bolt and the second arm portion including opposed marginal edges which are arranged to partially penetrate or overlie the respective first and second passageways and which first and second marginal edges co-operate with the respective radially directed grooves of the track pins to retain the end connector on the track pins.

Claim 10 published with the recitation of sub-paragraph (d) being indistinguishable from the paragraph beginning “the first arm”. Claim 10 is here amended similarly as Claims 1, 6 and 17 are presented with regard to this particular sub-paragraph.

3. Rejection Of The Claims Under 35 USC § 112

Claim 17 is rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Claim 17 is herein amended in an effort to provide definiteness to the Claim.

4. Rejection Of The Claims Under 35 USC § 102

Claims 1-13 and 17 are rejected under 35 USC §102(b) as being anticipated by US Patent No. 3,467,446 to Seelbach et al. Applicant respectfully traverses this rejection.

Applicant respectfully submits that Seelbach et al. fails to disclose the “securing element” recitation of Claims 1, 6, 10 and 17, and thus cannot anticipate the pending Claims. Specifically, Seelbach et al. fails to teach or suggest a securing element comprising *first and second arm portions arranged at an angle with respect to each other*.

In the Examiner’s analysis, the Examiner alleges that the present invention’s “securing element” is shown in Seelbach et al.:

(b) a securing element comprising first (6) and second (20) arm portions arranged at an angle with respect to each other ... *Office Action, Page 5.*

It is respectfully shown that when the Examiner identifies the “securing element” of Claims 1, 6, 10 and 17 as equating to items 6 and 20 in the drawings of the Seelbach et al., the Examiner confuses component parts of the end connectors (Figs. 4 and 6) and center connectors (Fig. 7) of the track of Seelbach et al. This, in turn, makes the remaining analysis under the §102 rejection nonsensical, and thus the anticipation rejection is flawed.

As presented, Claims 1, 6, 10 and 17 each recite an end connector, i.e. a connector which sits at the ends of the track pins. In a first approximation, this appears to equate to the end connector shown in Figs. 4 and 6 of Seelbach et al. Yet, the end connector of the present invention is required to include a securing element of particular, claimed construction. This construction is not taught or suggested by Seelbach et al.

Specifically, the securing element of the present invention is required to have two arm portions that are arranged at an angle with respect to each other (indeed, as noted per the Examiner’s note of sub-paragraph (b) above). One arm portion cooperates with a securing bolt, and the other arm portion cooperates with the radially directed grooves of the track pins. The

securing element 20 of Seelbach et al. (which the Examiner reads on the second arm portion of the present Claims) is entirely different.

Seelbach et al. does not teach a securing element with two arms at an angle to each other. Seelbach et al. teaches a securing element which is a flat plate, opposed edges of which cooperate with grooves in the track pins. A securing bolt passes through the plate and urges the edges of the plate further apart and into the grooves of the track pins.

In sub-paragraph (d), *Office Action*, Page 5, the Examiner continues, and equates the first arm portion of the present invention to item 6 of Seelbach et al., but which is the center connector of an entirely different construction, and alleges that this is secured between an outer surface of the first intermediate portion (of the body portion) and the head of the bolt. This is plainly not the case, as a reading of Seelbach et al. illustrates. Given that Seelbach et al. fails to teach a securing element having angled arms, the remainder of the analysis of the Claims in view of Seelbach et al. in sub-paragraph (d) is similarly impaired.

As Claims 1, 6, 10 and 17 are novel over Seelbach et al., it is respectfully submitted that all the dependent Claims are also novel over Seelbach et al. Yet, Claims 3, 8 and 12 are novel and non-obvious over the cited art not only as being dependent from allowable Claims, but also as incorporating further novel and non-obvious features over the art.

It is respectfully submitted that the Examiner's rejection of Claims 3, 8 and 12 is also without foundation. The Examiner in the *Office Action* this time refers to item 6 of Seelbach et al. as a first intermediate portion of the end connector. Yet, as noted above, item 6 of Seelbach et al. refers to the center connector as a whole. Thus, the Examiner's analysis of the first intermediate portion being shorter than the second intermediate portion fails, not the least of which because both the first and second intermediate portions in the present invention are portions of one and the same end connector.

5. Fees

No Claims fees are due, as the total number of Claims, and independent Claims, remains the same as upon original filing.

Further, this *Response* is being filed within three months of the *Office Action*. Thus, it is believed no extension of time fees are due.

Nonetheless, authorization to charge deposit account No. 20-1507 is given herein should fees be due.

CONCLUSION

By the present *Response and Amendment*, the Application has been in placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.2773.

Respectfully submitted,

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/Ryan A. Schneider 45083/

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/Ryan A. Schneider 45083/

Ryan Schneider
Registration No. 45,083

Troutman Sanders LLP
Bank of America Plaza
600 Peachtree Street, N.E., Suite 5200
Atlanta, Georgia 30308-2216
United States
Phone: 404.885.2773
Fax: 404.962.6849